

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

CHAPTER 16

# **HOUSE BILL 2048**

AN ACT

AMENDING SECTION 16-322, ARIZONA REVISED STATUTES; RELATING TO NOMINATING PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-322, Arizona Revised Statutes, is amended to  
3 read:

4 16-322. Number of signatures required on nomination petitions

5 A. Nomination petitions shall be signed:

6 1. If for a candidate for the office of United States senator or for a  
7 state office, excepting members of the legislature and superior court judges,  
8 by a number of qualified electors who are qualified to vote for the candidate  
9 whose nomination petition they are signing equal to at least one-half of one  
10 per cent of the voter registration of the party of the candidate in at least  
11 three counties in the state, but not less than one-half of one per cent nor  
12 more than ten per cent of the total voter registration of ~~his~~ THE CANDIDATE'S  
13 party in the state.

14 2. If for a candidate for the office of representative in Congress, by  
15 a number of qualified electors who are qualified to vote for the candidate  
16 whose nomination petition they are signing equal to at least one-half of one  
17 per cent but not more than ten per cent of the total voter registration of  
18 the party designated in the district from which such representative shall be  
19 elected.

20 3. If for a candidate for the office of member of the legislature, by  
21 a number of qualified electors who are qualified to vote for the candidate  
22 whose nomination petition they are signing equal to at least one per cent but  
23 not more than three per cent of the total voter registration of the party  
24 designated in the district from which the member of the legislature may be  
25 elected.

26 4. If for a candidate for a county office or superior court judge, by  
27 a number of qualified electors who are qualified to vote for the candidate  
28 whose nomination petition they are signing equal to at least two per cent but  
29 not more than ten per cent of the total voter registration of the party  
30 designated in the county or district, provided that in counties with a  
31 population of two hundred thousand persons or more, a candidate for a county  
32 office shall have nomination petitions signed by a number of qualified  
33 electors who are qualified to vote for the candidate whose nomination  
34 petition they are signing equal to at least one-half of one per cent but not  
35 more than ten per cent of the total voter registration of the party  
36 designated in the county or district.

37 5. If for a candidate for a community college district, by a number of  
38 qualified electors who are qualified to vote for the candidate whose  
39 nomination petition they are signing equal to at least one-half of one per  
40 cent but not more than ten per cent of the total voter registration in the  
41 precinct as established pursuant to section 15-1441.

42 6. If for a candidate for county precinct committeeman, by a number of  
43 qualified electors who are qualified to vote for the candidate whose  
44 nomination petition they are signing equal to at least two per cent but not

1 more than ten per cent of the party voter registration in the precinct or ten  
2 signatures, whichever is less.

3 7. If for a candidate for justice of the peace or constable, by a  
4 number of qualified electors who are qualified to vote for the candidate  
5 whose nomination petition they are signing equal to at least two per cent but  
6 not more than ten per cent of the party voter registration in the precinct.

7 8. If for a candidate for mayor or other office nominated by a city at  
8 large, by a number of qualified electors who are qualified to vote for the  
9 candidate whose nomination petition they are signing equal to at least five  
10 per cent and not more than ten per cent of the designated party vote in the  
11 city, EXCEPT THAT A CITY THAT CHOOSES TO HOLD NONPARTISAN ELECTIONS MAY BY  
12 ORDINANCE PROVIDE THAT THE MINIMUM NUMBER OF SIGNATURES REQUIRED FOR THE  
13 CANDIDATE BE ONE THOUSAND SIGNATURES OR FIVE PER CENT OF THE VOTE IN THE  
14 CITY, WHICHEVER IS LESS, BUT NOT MORE THAN TEN PER CENT OF THE VOTE IN THE  
15 CITY.

16 9. If for an office nominated by ward, precinct or other district of a  
17 city, by a number of qualified electors who are qualified to vote for the  
18 candidate whose nomination petition they are signing equal to at least five  
19 per cent and not more than ten per cent of the designated party vote in the  
20 ward, precinct or other district.

21 10. If for a candidate for an office nominated by a town at large, by a  
22 number of qualified electors who are qualified to vote for the candidate  
23 whose nomination petition they are signing equal to at least five per cent  
24 and not more than ten per cent of the vote in the town.

25 11. If for a candidate for a governing board of a school district, by a  
26 number of qualified electors who are qualified to vote for the candidate  
27 whose nomination petition they are signing equal to at least one-half of one  
28 per cent of the total voter registration in the school district if the  
29 governing board members are elected at large or one per cent of the total  
30 voter registration in the single member district if governing board members  
31 or joint technological education district board members are elected from  
32 single member districts. Notwithstanding the total voter registration in the  
33 school district or single member district, the maximum number of signatures  
34 required by this paragraph is four hundred.

35 12. If for a candidate for a governing body of a special district as  
36 described in title 48 by a number of qualified electors who are qualified to  
37 vote for the candidate whose nomination petition they are signing equal to at  
38 least one-half of one per cent of the vote in the special district but not  
39 more than two hundred fifty and not fewer than five signatures.

40 B. The basis of percentage in each instance referred to in subsection  
41 A of this section, except in cities, towns and school districts, shall be the  
42 number of voters registered in the designated party of the candidate as  
43 reported pursuant to section 16-168, subsection G on March 1 of the year in  
44 which the general election is held. In cities, the basis of percentage shall  
45 be the vote of the party for mayor at the last preceding election at which a

1 mayor was elected. In towns, the basis of percentage shall be the highest  
2 vote cast for an elected official of the town at the last preceding election  
3 at which an official of the town was elected. In school districts, the basis  
4 of percentage shall be the total number of voters registered in the school  
5 district or single member district, whichever applies. The total number of  
6 voters registered for school districts shall be calculated using the periodic  
7 reports prepared by the county recorder pursuant to section 16-168,  
8 subsection G. The count that is reported on March 1 of the year in which the  
9 general election is held shall be the basis for the calculation of total  
10 voter registration for school districts.

11 C. In primary elections the signature requirement for party nominees,  
12 other than nominees of the parties entitled to continued representation  
13 pursuant to section 16-804, is at least one-tenth of one per cent of the  
14 total vote for the winning candidate or candidates for governor or  
15 presidential electors at the last general election within the district.  
16 Signatures must be obtained from qualified electors who are qualified to vote  
17 for the candidate whose nomination petition they are signing.

18 D. If new boundaries for congressional districts, legislative  
19 districts, supervisorial districts, justice precincts or election precincts  
20 are established and effective subsequent to March 1 of the year of a general  
21 election and prior to the date for filing of nomination petitions, the basis  
22 for determining the required number of nomination petition signatures is the  
23 number of registered voters in the designated party of the candidate in the  
24 elective office, district or precinct on the day the new districts or  
25 precincts are effective.

APPROVED BY THE GOVERNOR JULY 9, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2009.